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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/749,213	12/30/2003	Jun-Yong Min	11038-160-999	1478
24341	7590	03/13/2006	EXAMINER	
MORGAN, LEWIS & BOCKIUS, LLP. 2 PALO ALTO SQUARE 3000 EL CAMINO REAL PALO ALTO, CA 94306			WEBB, TIFFANY LOUISE	
			ART UNIT	PAPER NUMBER
			3616	

DATE MAILED: 03/13/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 10/749,213	<b>Applicant(s)</b> MIN, JUN-YONG	
	<b>Examiner</b> Tiffany L. Webb	<b>Art Unit</b> 3616	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-10 is/are pending in the application.  
     4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 30 December 2003 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
     a) ☒ All    b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>12/30/03, 8/11/04</u> . | 6) <input type="checkbox"/> Other: ____.  |

## **DETAILED ACTION**

### ***Priority***

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

### ***Drawings***

2. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the steering wheel and an outer frame part must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.
3. The drawings are objected to under 37 CFR 1.83(a) because they fail to show the perforations going through the first and second cushion covers, and the supporting plate as described in the specification. Also, the drawings fail to show or reference the outer frame. Any structural detail that is essential for a proper understanding of the disclosed invention should be shown in the drawing. MPEP § 608.02(d).

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for

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consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

***Claim Rejections - 35 USC § 112***

4. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

5. Claims 2, 4, and 6-8 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In claims 2, 6, 7, and 8, first and second cushions are claimed and it is unclear from the specification and the drawings what the first and second cushions are supposed to describe. From examining the specification and drawings further, the examiner believes the applicant is trying to describe a first and second cushion cover. Therefore, it is suggested, by the examiner, to add "cover" after all references to the first and second cushions. The first occurrence of this is in claim 2, lines 2-3. Further it is also in claim 6, lines 2-3; claim 7, lines 1-2; and claim 8, line 2.

In claim 1, line 2, it is unclear what is meant by "a front side of a cushion cover." The examiner believes the front side to be towards the "top" of the figure.

In claim 2, line 3, it is unclear what is meant by "a front side of said first cushion." The examiner believes the front side to be towards the "top" of the figure.

In claim 4, lines 1-2, "said supporting plate is formed at one side" is unclear to where the supporting plate is being formed.

In claim 5, line 4, "formed at a first side" is unclear to what is meant by a first side.

### ***Specification***

6. The disclosure is objected to because of the following informalities: as discussed above, the examiner believes the applicant to have first and second cushion covers, and not first and second cushions. The examiner suggests amending the specification to properly identify the items in the invention. The first mention of the first or second cushion is in paragraph [0015] lines 1-2, referencing characters 11 and 13. The examiner suggests changing the multiple references within the specification.

Appropriate correction is required.

### ***Claim Rejections - 35 USC § 102***

7. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

8. Claims 1, 3-5, and 9-10 are rejected under 35 U.S.C. 102(b) as being anticipated by Niwa et al. (US 5,577,766). Regarding claim 1, Niwa et al. discloses having a membrane switch mounting structure for a vehicle including: a switch mounting space

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(below 11) formed at a front side of a cushion cover disposed to face a horn cover (10); and a membrane switch (30) inserted into the switch mounting space. Regarding claims 3 and 9, Niwa et al. discloses having a membrane switch that connects with a supporting plate (20) and is installed inside the side mounting space. Regarding claims 4 and 10, Niwa et al. discloses the supporting plate (20) having a plate protruder (21) having a frame shape that is similar to the membrane switch and the outer frame part that is supporting the plate protruder (see Figure 5). Regarding claim 5, Niwa et al. discloses having a generally central portion on a steering wheel having a horn cover (abstract: lines 1-2) that includes: an air-bag cushion (1) that has a cushion cover (10); a switch mounting space (below 11) facing the inner side of a horn cover.

9. Claims 1-2 and 5-9 are rejected under 35 U.S.C. 102(b) as being anticipated by Margetak et al. (US 5,639,114). Regarding claim 1, Margetak et al. discloses having a membrane switch mounting structure including: a switch mounting space (near 60, see Figure 4) formed at a front side of a cushion cover (86, 82, and 44) disposed to face a horn cover (40); and a membrane switch (60) inserted into the switch mounting space. Regarding claims 2 and 6, Margetak et al. discloses having a switch mounting space between a first cushion cover (44) enclosing an airbag cushion and a second cushion cover integrally (86 and 82) formed at a front side of the first cushion cover, wherein the first and second covers are part of the cushion cover. Regarding claim 5, Margetak et al. discloses having a generally central portion on a steering wheel having a horn cover (abstract: lines 1-2) that includes: an air-bag cushion (1) that has a cushion cover (24); a switch mounting space (near 60, see Figure 4) facing the inner side of a horn cover.

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Regarding claim 7, Margetak et al. discloses having the second cushion cover (82 and 86) disposed between the horn cover (40) and the first cushion cover (44). Regarding claim 8, Margetak et al. discloses the switch mounting space (near 60, see Figure 4) being located between the first cushion cover (44) and the second cushion cover (82 and 86).

### ***Conclusion***

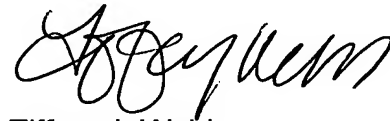
10. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The following are all horn covers that include membrane horns along with airbag covers: Heidorn (US 5,308,106), Fillion et al. (US 5,413,376), Elqadah et al. (US 5,575,498), and Igawa (US 6,179,325).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tiffany L. Webb whose telephone number is 571-272-2797. The examiner can normally be reached on 8-4:30 M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Paul Dickson can be reached on 571-272-6669. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Tiffany L Webb  
Examiner  
Art Unit 3616

tlw



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